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March 19, 2021

VIA ECF & E-MAIL

United States District Court
Southern District of New York
Attn: Hon. Andrew L. Carter, U.S.D.J.
40 Foley Square, Courtroom 1306
New York, NY 10007-1312
alcarternysdchambers@nysd.courts.gov

Re: Pagan v. C.I. Lobster Corp., et al.
Case No: 1:20-cv-7349 (ALC) (SDA)
MLLG File No.: 197-2020

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 3/22/2021

Dear Judge Carter:

This office represents the Defendants in the above-referenced case. See Docket Entry 12. Defendants write pursuant to ¶ 1(D) of this Court's Individual Practices to respectfully request an extension of time, *nunc pro tunc*, to today, March 19, 2021 to respond to the complaint in this case.

Because Plaintiff filed his first amended complaint pursuant to this Court's February 8, 2021 Order on February 22, 2021, the original date a response to the complaint was due was Monday, March 8, 2021. See Docket Entries 24-25; see also Fed. R. Civ. P. 15(a)(3) (providing that the response to an amended pleading is due fourteen (14) days after filing). There have been no previous requests for an extension of Defendants' deadline to respond to the first amended complaint. The adversary consents to the instant request. Defendants are unaware of any other scheduled dates affected by the requested extension.

Defendants respectfully submit that the answer was not filed earlier due to an oversight by its counsel's support staff in calendaring the deadline. Further, your undersigned has been engaged in mediations in two (2) other matters which took substantial time and effort and prevented him from working on the responsive pleading to this case. Accordingly, Defendants respectfully submit that both good cause and excusable neglect exist such that the extension should be granted by this Court. See Fed. R. Civ. P. 6(b)(1)(B). Accordingly, Defendants' letter motion for an extension of time to respond to the complaint, *nunc pro tunc*, should be granted.

Defendants thank this honorable Court for its time and attention to this case.

Dated: Lake Success, New York
March 19, 2021

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

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United States District Court
Southern District of New York
Hon. Stewart D. Aaron, U.S.M.J.
500 Pearl Street, Courtroom 11C
New York, NY 10007-1312

SO ORDERED: 
HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: 3/22/2021